

AMENDED IN SENATE SEPTEMBER 3, 2009

AMENDED IN SENATE JULY 7, 2009

AMENDED IN SENATE JUNE 24, 2009

AMENDED IN ASSEMBLY MAY 6, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 827**

**Introduced by Assembly Member Yamada  
(Coauthor: Assembly Member Beall)**

February 26, 2009

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An act to add Section 26158 to the Government Code, relating to records.

### LEGISLATIVE COUNSEL'S DIGEST

AB 827, as amended, Yamada. Records.

Existing law requires the county recorder to charge and collect certain fees for the filing or recording of various property-related instruments, papers, or notices.

This bill would authorize a county board of supervisors to provide for the archiving of historical county records, including, but not limited to, records pertaining to real property, local agency meetings and actions, roads and other public works, and other records of general public or historical interest. The bill would authorize the board of supervisors, *in consultation with the county recorder*, to adopt and impose a fee on the recording of property-related documents, the amount of which would be prohibited from exceeding the estimated reasonable cost of providing archival services with regard to these documents, not to exceed \$3 per document.

The bill would require the board of supervisors, *in consultation with the county recorder*, to expend the proceeds from the fee only to defray the cost of providing archival services in connection with property-related documents, as specified, and would require these archival services to conform with certain professional practices.

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 26158 is added to the Government Code,  
2 to read:

3 26158. (a) The board of supervisors may provide for the  
4 archiving of historical county records, including, but not limited  
5 to, records pertaining to real property, local agency meetings and  
6 actions, roads and other public works, and other records of general  
7 public or historical interest.

8 (b) For purposes of funding a portion of the cost of the activities  
9 specified in subdivision (a), the board of supervisors, *in*  
10 *consultation with the county recorder*, may adopt and impose a  
11 fee on the recording of property-related documents ~~that refer~~  
12 *containing a description or identification of the property, includes*  
13 *references* to one or more previously recorded documents,  
14 previously archived documents, or both. This fee shall be set at an  
15 amount that does not exceed the estimated reasonable costs of  
16 providing the archival services authorized by this section with  
17 respect to deeds, indentures, surveys, parcel and subdivision maps,  
18 and other property-related documents, and shall not exceed three  
19 dollars (\$3) per document.

20 (c) The board of supervisors shall direct the county recorder to  
21 deposit the fees collected pursuant to this section into a special  
22 fund. The board of supervisors, *in consultation with the county*  
23 *recorder*, shall expend the proceeds from the fund only to defray  
24 the cost of providing archival services in connection with  
25 property-related documents, including, but not limited to, all of  
26 the following:

27 (1) Costs associated with indexing those documents.

28 (2) Providing reasonable access to those documents, and  
29 assisting the public with regard to those documents.

1     (3) Preserving those documents in a manner that ensures their  
2     physical integrity, security, and longevity.

3     (d) The archival services that are funded by the proceeds  
4     generated by the fee imposed pursuant to this section shall conform  
5     with the professional practices recommended by the Society of  
6     American Archivists for the management, care, and preservation  
7     of historical records.

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